Mr. V. B. Vaidyanatha Ayyar.—(a) The Member is referred to the answer given to the first part of question No. 112 (b) of the budget session of 1101.

(b) Yes. A copy of the letter is placed on the table (*Vide Appendix V.*)

(c) A reply was sent.

(d) No answer is necessary in view of the reply to part (c) above.

(e) A copy of the reply is placed on the table (*Vide Appendix VI.*)

(f) Yes.

(g), (h), (i) and (j). The Member is referred to the answer to question No. 309 (d) to (f) of the legislative session of 1102.

(k) No.

45. Mr. K. T. Mathew.—Will the Government be pleased to state:—

(a) whether the Superintendent of Excise Revenue on 5th Dhanu 1102 sent a notice to the members of the Excise Committee informing that a meeting of the Committee will be held on Monday, the 19th of that month ;

(b) whether the Superintendent wrote again to the members on 9th Dhanu 1102 fixing the time of the meeting referred to above ;

(c) whether this meeting was held on Monday, the 19th of that month as notified; and, if not,

(d) why it was (not) held on that day ;

(e) whether any non-official member of the Committee requested the Convener or Chairman to postpone the meeting ; and, if not,

(f) whether the Convener ascertained the opinion of all the members of the Committee before postponing the meeting ; and, if not, why it was not so done ;

(g) whether the Convener ascertained by correspondence the opinion of the Chairman or took his permission for postponing the meeting; and if the answer is in the negative, why he did not do so ; if in the affirmative, whether a copy of the correspondence will be placed on the table ;

(h) whether the Convener did not ascertain the opinion of the members of the Committee, when two non-official members of the Committee requested him on June 8th, 1926 to convene a meeting of the Committee to discuss the advisability of abolishing the fee license system for tapping for sweet toddy; and, if so, whether a copy of his letter to the members will be placed on the table ;

LIBRARY ARCHIVES Kerala Legislative Assembly

(i) whether any non-official member of the Committee wrote to the Diwan, Chairman of the Committee or the Convener complaining about the change of date of meeting twice notified; and if so,

(j) whether any action has been taken by any of them in this matter; and, if so, what is it; and if no action has been taken, why it was not taken?

Mr. V. B. Vaidyanatha Ayyar.—(a) Yes, but the date of the letter is 6th Dhanu 1102.

(b) Yes.

(c) No.

(d) Because the Diwan Peishkar and Mr. T. K. Krishna Menon wrote to the Convener that they could not attend the meeting on that date owing to other engagements.

(e) No.

(f) No, because it was not considered necessary to do so.

(g) No. It was not considered necessary to do so.

(h) Yes. A copy of the letter is placed on the table (*Vide Appendix VII.*)

(i) and (j). In a letter dated 5th January 1927 sent by Mr. K. T. Mathew to the Diwan through the Excise Superintendent, this fact was stated. The letter was returned to him, saying that he could send it himself direct.

Mr. K. T. Mathew.—Why; when two non-official members of the Committee wrote to the convener not to hold a meeting on a particular day, since it would cause them inconvenience, the meeting was held on that date; also why when two official members wrote to the convener not to hold a meeting on another day, the meeting was not held on that day, and so why the non-official members and official members of the Committee are differentiated?

Mr. V. B. Vaidyanatha Ayyar.—It was far from me, the Convener of the Committee, to think of any differential treatment between the non-officials and officials. It was not known to the Convener at the time when he postponed the meeting that the adjourned date would cause inconvenience to the non-official members.

Mr. K. T. Mathew.—Whether all the members of the Committee were consulted before the date of the adjourned meeting was fixed?

Mr. V. B. Vaidyanatha Ayyar.—No, I did not.

Mr. K. T. Mathew.—Why was it not done?

Mr. V. B. Vaidyanatha Ayyar.—It was not usual to consult all the members of the Committee for fixing the date. I have not done so before.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. K. T. Mathew.—Was there an Excise Committee before, so as to have a precedent in this matter?

Mr. V. B. Vaidyanatha Ayyar.—In other committees also, I find it is not done.

Mr. K. T. Mathew.—May I know the committee in which this is not done?

Mr. V. B. Vaidyanatha Ayyar.—The Special Finance Committee, for instance.

Dr. A. R. Menon.—Once the President of the Special Finance Committee, in which I am also a member, changed the date of a meeting without asking us. I went to him and protested that, when once the date is fixed, it should not be altered without consulting the members. So, generally, the date of a meeting is fixed only after consulting all the members.

Diwan Bahadur Dr. V. Verghese.—The Board of Directors of the Railway Company do not consult the members in fixing the date of their meetings.

President.—But then I think they give sufficient notice. If the date is inconvenient to a member, what is he to do? Supposing he asks to change the date, what do they do?

Diwan Bahadur Dr. V. Verghese.—I was a member of a Board, and once I asked them to change the date. They told me it would cause inconvenience to several others, and so they could not change it.

Dr. A. G. Menon.—Do you refer to Council Committees?

President.—He refers to Board Committees.

Diwan Bahadur Dr. V. Verghese.—I refer to District Board Committee meetings.

Dr. A. G. Menon.—That is very different.

Diwan Bahadur Dr. V. Verghese.—This is no Council meeting. This is only a Committee meeting.

Mr. K. T. Mathew.—What was the reply given by the Convener when two non-official members requested him to convene a special meeting?

President.—Did he consult the convenience of the official members?

Mr. V. B. Vaidyanatha Ayyar.—What is the supplementary question, Sir?

Mr. K. T. Mathew.—Why the Hon'ble Member did not hold a meeting when two non-officials requested him to convene a meeting?

Mr. V. B. Vaidyanatha Ayyar.—I have already answered that question. I mean there were a series of questions last time on this subject, and these are a repetition of those questions.

President.—Let there not be a hurry in answering.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. V. B. Vaidyanatha Ayyar.—It is contained in the letter printed in Appendix VIII. The majority of the members did not think it necessary to hold a special meeting, as the subject in question should be discussed and considered along with the other matters, after the memorandum is prepared and circulated. That was why a special meeting was not held. (Page 16, Appendix VII). All the other members agreed to that.

Mr. K. T. Mathew.—May I know whether the Member consulted all the members of the Committee?

Mr. V. B. Vaidyanatha Ayyar.—I did so.

Mr. K. T. Mathew.—Was it verbal or written?

Mr. V. B. Vaidyanatha Ayyar.—Written communications were sent.

Mr. K. T. Mathew.—Will the Hon'ble Member read that written communication or place a copy of the same on the table?

Mr. V. B. Vaidyanatha Ayyar.—This is the communication itself. Appendix VII is the letter sent to the members.

President.—This was forwarded to all the members, and so they were consulted.

Mr. V. B. Vaidyanatha Ayyar.—That is why I am puzzled rather. I was considering whether that question has not been answered.

President.—So long as you have done your duty, there is no reason for getting puzzled. Face all these questions, in a calm and collected manner.

Mr. K. T. Mathew.—Were the members of the Committee made known that no meeting would be held according to the decision of the majority?

President.—Was a copy sent to them also?

Mr. V. B. Vaidyanatha Ayyar.—Yes.

Mr. M.K. Raman.—I did not get any copy or communication, Sir.

Mr. V. B. Vaidyanatha Ayyar.—He was the person who wanted to convene a special meeting. So it was not sent to him.

President.—Mr. Mathew, did you receive a copy of this communication?

Mr K. T. Mathew.—No, Sir.

President.—So Messrs Mathew and Raman requested you to convene a meeting. The Committee came to the conclusion that no meeting was necessary, and this was not made known to them. This letter should have been communicated to them also. If this communication was not sent to them, how can

LIBRARY ARCHIVES Kerala Legislative Assembly

they know what became of their letter. You follow me. You ought to have communicated this letter to them also.

Mr. V. B. Vaidyanatha Ayyar.—What I again submit is that this question has already been answered by me in the last session.

President.—Let me say. I want to get the matter explained. Messrs. Raman and Mathew say they did not get a copy of the letter. It would appear that a copy should be sent to them also. Without a communication, how can they know how their petitions were disposed of?

Mr. V. B. Vaidyanatha Ayyar.—This question was answered by me in the last session.

President.—What I understand from Appendix VII is that the necessity for not holding a meeting according to the decision of the majority of the Committee members is disclosed in this communication. So that, when their requisition was disposed of in the matter which is now known from Appendix VII, they are entitled to get a copy of that decision or whatever you call it. That is my opinion. I want to you understand my position apart from those previous answers.

Mr. V. B. Vaidyanatha Ayyar.—Except to Messrs. Mathew and Raman, I sent a copy of their letter to the other members, and they said no meeting was necessary, and the result was not communicated to them.

President.—Please note the heading of the letter. There it is stated "sent by the Superintendent of Excise to all the members of the Excise Committee". If copies were not sent to all, that heading cannot be correct.

Mr. V. B. Vaidyanatha Ayyar.—It is not correct.

President.—As a matter of fact, copies have not been sent to all the members. May I ask for my information, is it not necessary that they should know how the question has been disposed of?

Mr. V. B. Vaidyanatha Ayyar.—I do not think so.

President. Papers are disposed of by Government in several ways, sometimes recorded, or lodged or filed. In any case, they should know how the matter has been disposed of.

Mr. V. B. Vaidyanatha Ayyar.—I did not think they should be made known. So I did not inform them.

Mr. K. T. Mathew.—How can the members know how their requisition has been disposed of?

President.—Only by communications.

Mr. K. T. Mathew.—But no communication was sent.

LIBRARY ARCHIVES Kerala Legislative Assembly

When the official members requested the Superintendent to change the date, he informed them how it was disposed of.

Mr. V. B. Vaidyanatha Ayyar.—Yes, I informed them.

Mr. K. T. Mathew.—May I know was the same privilege extended to the non-official members of the Committee?

President.—Non-officials too should have every privilege as the officials.

Mr. V. B. Vaidyanatha Ayyar.—No distinction is kept up between officials and non-officials.

President.—The privilege accorded to official members has not been accorded to non-official members; that is what he says.

Mr. K. T. Mathew.—When the official members requested that the meeting might be postponed to such and such a date, their request was allowed, and they were also informed. When the non-official members requested, their letter was neither acknowledged nor a reply was sent to them. Is it not a differential treatment, Sir?

Mr. V. B. Vaidyanatha Ayyar.—There is misapprehension. At first, when the meeting was held and notice was given to all the members, two of the members wrote to me to say that the date proposed was inconvenient to them as they had already made other arrangements. Therefore, I at once changed the date and sent notice to all the members. Of course, one of the members after some date wrote to me to say that that date was inconvenient to him, and requested that the date may be changed. The second date was not changed.

President.—It is difficult for me to follow you.

Mr. V. B. Vaidyanatha Ayyar.—The date was changed once at the request of two members.

Mr. K. T. Mathew.—Did not the Convener give notice twice fixing the date of the meeting?

Mr. V. B. Vaidyanatha Ayyar.—It is not correct to say that I fixed the date twice. The first notice was inadvertently undated. One of the members informed me that it was undated, and I at once informed all the members the date of the meeting.

Mr. K. T. Mathew.—The meeting was fixed but the date was not fixed. Was it not after the two notices the date was changed?

President.—There were two notices in the first instance. One notice was sent without fixing the date of the meeting. Then your attention was drawn by a member that you have not

LIBRARY ARCHIVES Kerala Legislative Assembly

recorded the time. You corrected it and sent a notice. We will take it as the first notice. Then it was that you changed the date.

Mr. V. B. Vaidyanatha Ayyar.—It was after this that two of the official members wrote to me that the date fixed upon was inconvenient to them, and that they wanted a change in the date.

President.—After the second date was fixed, did any member write to you that the date fixed upon for the meeting was inconvenient for him?

Mr. V. B. Vaidyanatha Ayyar.—One of the non-official members, after some days, wrote to me that the date was inconvenient for him.

President.—Was it some days after the meeting was held?

Mr. V. B. Vaidyanatha Ayyar.—No, some days before the meeting.

President.—How was the request disposed of?

Mr. V. B. Vaidyanatha Ayyar.—His request was not allowed. He simply stated that the date fixed upon was inconvenient to him.

President.—Was he informed that his request could not be allowed?

Mr. V. B. Vaidyanatha Ayyar.—No, Sir.

Mr. K. T. Mathew.—May I know why these two official members, when they received the communication and when pointing out the omission of the date, could not have written at the same time for a change of date also. They could have done that.

President.—Are we to question their conduct?

Mr. K. T. Mathew.—As a matter of fact, when he received the letters, he could have pointed out as in my case that the letters were received late, and that the date could not be changed. He did not do so.

President.—His action may be erroneous from your point of view; but he may be correct in his action.

Mr. K. T. Mathew.—I am just pointing out how the Excise Committee work is being done.

46. **Mr. K. T. Mathew.**—Will the Government be pleased to print and place on the table the letters addressed to the Diwan of Cochin on the 20th March and 7th May 1927 by a member of the Excise Committee and to state what action has been taken in this matter by the Government, and what reply has been sent, to the member concerned, and whether the file referring to this matter will be placed on the table?

LIBRARY ARCHIVES Kerala Legislative Assembly

APPENDIX V.

(Vide answer to Question No. 44)

Copy of letter, dated 28th May 1926, from Mr. K. T. Mathew, B. A., B. L., to the Superintendent of Excise Revenue.

"I have the honour to bring to your attention the last paragraph of the Proceedings of the Diwan appointing the Excise Committee (Order R. O. C. No. 35 of 1101, dated 8th March 1926), which says 'The Superintendent of Excise Revenue is requested to take the necessary action so that the Committee may begin their work and submit their report as early as possible'. After the formation of the Committee more than a month and a half elapsed before we had the preliminary meeting or rather the first sitting of the Committee. I hope you will not require a long time to prepare the report that might be used for discussion by the members. As the Government expect the report of the Committee as early as possible, I think it will be advisable to summon a meeting of the Committee as soon as your report is ready, instead of unnecessarily sitting till Chingam or Kanni. As far as I am concerned, I may inform you that I shall make it convenient for me to attend the Excise Committee meetings, if I get eight days' notice of the meeting To discharge satisfactorily the work committed to us, I think it is absolutely necessary to examine at least a few witnesses (official and non-official) who will be able to throw some light on the solution of the problem we are asked to tackle. As you are the Convener of the Committee and have been specially asked by the Government to submit the report as early as possible, I trust you will convene a meeting of the Committee as soon as your skeleton report is ready for discussion by the Committee."

(Signed)
K. T. MATHEW.

P. S. Will you please send me a copy of the minutes of the last meeting of the Committee?

APPENDIX VI.

(Vide answer to Question No 44.)

Copy of letter C. No. 24 of 01, dated 27th June 1926 sent to Mr. K. T. Mathew, B. A., B. L., by the Superintendent of Excise Revenue.

"With reference to your letter dated 28th May 1926, I have the honour to forward herewith a copy of the minutes of the preliminary meeting of the Excise Committee as desired therein."

APPENDIX VII.

(Vide answer to Question No. 45.)

Copy of letter C. No. 24 of 01, dated 26th June 1926, sent by the Superintendent of Excise Revenue to the Members of the Excise Committee.

"I have the honour to enclose a copy of the letter, dated 8th June 1926 received from Messrs. K. T. Mathew and M. K. Raman, members of the Excise Committee, requesting me to convene a special meeting of the Excise Committee to discuss the advisability of abolishing the fee license system for tapping sweet toddy and to request you to be so good as to favour me with your views as to the advisability of holding such a special meeting, at your very earliest convenience.

LIBRARY ARCHIVES Kerala Legislative Assembly

According to the resolution passed at the preliminary meeting of the Committee held on 27th May 1926, I was asked to prepare a memorandum generally on the following lines to form the basis of discussion before the report is prepared and submitted to the Government.

(a) Our goal too should be to work up to prohibition.

(b) To suggest ways and means to realise that ideal.

It was further resolved that copies of the memorandum should be circulated among the members of the Committee sufficiently early before the date of next meeting which should be in Kanni next.

My own view is that it is not advisable to deal with the Excise policy piecemeal, but that the subject in question should also be discussed and considered along with the other matters after the memorandum is prepared and circulated."

APPENDIX VIII.

(*Vide answer to Question No. 46.*)

Letter dated 20th March 1927, from Mr. K. T. Mathew to the Diwan of Cochin.

"While once again, I beg to thank you for appointing me a member of the Excise Committee, it is with deep regret that I address you this letter which I hope will receive your early and earnest attention. It must have been abundantly clear to you from my correspondence with you directly and through the Chairman of the Excise Committee and from the answers given by the Superintendent of Excise Revenue who is the Convener of the Excise Committee, on behalf of the Government—for he is a Government member in the Legislative Council—to my interpellations in the last meeting of the Legislative Council, that he has been failing in his duty to accord a respectful treatment to some at least of the members of the Committee, and that he has been making differential treatment between member and member. When I accepted the offer of the Government to be a member of the Excise Committee, I never thought that there would be differential treatment between the members of the Committee, and that any Government official would treat discourteously any of the members of the Committee appointed by the Government and I must respectfully inform you now that I certainly cannot, consistent with my position, stand such differential and discourteous treatment. Add to this the fact that the Government appointed me a member of the Committee because I am an elected representative of the people in the Legislative Council. The honour and dignity of the members of the House is as dear to me as it must be to you as the President of the Council and the statements made in the open Council by the Superintendent of Excise Revenue cannot but be regarded as a slight to the members of the House and especially to those who are members of the Committee appointed by the Government. You are aware that this is not the first incident of the sort and that the representatives of the people will not coolly pocket such insults. Certainly no self-respecting member shall take such things lying down, and I made the open statement in the Council that I shall have to resign my membership from the Excise Committee as a protest to the treatment and the answers given, and am very sorry if you have not realised the situation fully and the import of such incidents. To speak personally, I beg to state that it is the duty of the Government that offered me the membership of the Excise Committee to call upon the official to make necessary amends and for the Government to disown that it is not the policy of the Government to accord discourteous and differential treatment to the members

LIBRARY ARCHIVES Kerala Legislative Assembly